



City of Hampton, VA

Meeting Minutes

City Council

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Linda Curtis
W. H. "Billy" Hobbs, Jr.
Will Moffett
Chris Snead
Christopher G. Stuart
Donnie R. Tuck
George E. Wallace, Mayor

Staff:
Mary Bunting, City Manager
Vanessa T. Valldejuli, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, April 9, 2014 7:01 PM Council Chambers, 8th Floor, City Hall

CALL TO ORDER/ROLL CALL

GEORGE E. WALLACE PRESIDED

PRESENT: Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck

INVOCATION

Councilman Hobbs shared information about the passing of Sariah Winston, the daughter of Officer Mike Winston and his wife, Ebony, and asked for a moment of silence in her memory.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Wallace stated requests were made to defer Public Hearing Item numbers 14-0154 and 14-0150 to the May meeting. He noted that since these were advertised Public Hearings, there may be individuals present who wished to speak; therefore, he would rather handle the deferrals at the beginning of the meeting to allow those individuals the opportunity to leave if they wish to return on May 14th when the matter is heard. He also noted that individuals present who may not be able to attend the May meeting will be allowed to speak this evening.

CONSENT AGENDA

Mayor Wallace called upon Clerk of Council Katherine Glass to read the protocol for the Consent Agenda items. He also noted that beginning this evening, the Clerk will give a summary of the Consent items in order to give the public an opportunity to know more about these items prior to the vote.

Ms. Glass read the following Consent Agenda Summary: On tonight's consent agenda, Council is being asked to allocate funding for a living shoreline which is a component of beautifying the waterfront in Phoebus; to accept and appropriate grant funding which will serve families with children at high-risk with specialized academic and behavioral needs; to elevate eight residential structures in flood prone areas; to provide additional training and supplies to be used in the City's emergency shelters including providing equipment to help in communicating with the hearing impaired; to upgrade telephones and laptops used by our Emergency Operations Center; to approve a tax refund for Verizon Communications; to appropriate donations which have been received for the Air Power Park Museum, so that these funds may be used for additional educational opportunities and enrichment activities at the Air Power Park; to endorse AMR, Inc. and NuCare Carolina Ambulance, Inc. establishing offices in Hampton to provide non-emergency medical transport (these entities will not be a part of Hampton's public safety network, however the State Code requires endorsement by the localities before they may establish offices in the City); to accept and appropriate and/or transfer funding from VDOT and Hampton Roads Transportation Planning Organization for intersection improvements at Todds Lane and Big Bethel Road, at Woodland Road and Andrews Boulevard, and at Big Bethel Road and Burton Street; to approve minutes; to make a minor amendment to an ordinance involving swimming pool drains to comply with our stormwater ordinance; to modify a term on the Peninsula Agency on Aging to comply with their bylaws; and to show the City Council's support of a citizen-led effort to bring Hampton's last remaining trolley car back to Hampton (this trolley car is currently at the Baltimore Streetcar Museum and they are willing to donate it to the City with a commitment to its restoration and display).

CONSENT ITEMS

Mayor Wallace called for the motion on the consent agenda items read by the Clerk. Councilman Stuart inquired about some concerns that had been brought up regarding some of these items and if a request to pull some items from the Consent Agenda is still on the table. Councilman Tuck stated he had retracted his request to pull items from the Consent Agenda.

1. 14-0143 Approval of the minutes from the afternoon session of December 11, 2013, the Spotlight on Citizens/Public Comment session of February 26, 2014, the evening session of March 12, 2014, and the Spotlight on Citizens/Public Comment session of March 26, 2014.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

2. 14-0142 Resolution Requesting Appropriation of Additional Funds to Phoebus Waterfront Improvements Project

WHEREAS, in accordance with Section 2-336 of the City Code, Council approval is required for contract change orders exceeding 25 percent of the original contract amount;

WHEREAS, on or about May 10, 2013, Wolf Contractors, Inc. was awarded the contract to construct the living shoreline project entitled "Phoebus Waterfront Improvements Project" in the amount of \$89,765.00 (the "Project");

WHEREAS, Project construction began around July 2013;

WHEREAS, unforeseen circumstances and the importance of securing the site to prevent negative environmental impacts led to cost overruns, including, but not limited to (a) significant site conditions changed during excavation, requiring additional material to be removed; and (b) a portion of the work occurred underwater, making construction estimates difficult to predict;

WHEREAS, the cost overruns exceeded the original contract amount by more than 25 percent; and

WHEREAS, the Department of Public Works requests Council to authorize a contract change order up to \$72,000 to close out the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRGINIA:

1. That the City of Hampton authorizes a contract change order up to \$72,000.00 to close out the Project, and
2. That the City Manager or her designee is hereby authorized to execute any documents between the City of Hampton and Wolf Contractors, Inc. to effect closeout of the Project as set forth in this Resolution.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

3. 14-0145 Resolution Accepting and Appropriating Funds for the FY2015 Comprehensive Services Act Pool Funds

BE IT RESOLVED by the Council of the City of Hampton, Virginia, that the total Comprehensive Services Act Pool Funds in the amount of \$7,550,000 be appropriated for the fiscal year beginning July 1, 2014 and ending June 30, 2015. In addition, the Council accepts any additional supplemental revenues from the state and Medicaid for the Funds Pool subject to the availability of local match.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

4. 14-0147 Resolution Endorsing AMR, Inc. To Establish An Office In The City Of Hampton To Provide Non-Emergent Medical Transport While Making Clear AMR, Inc. Is Not An Integral Part Of The Public Safety Network

WHEREAS, AMR, Inc., desires to offer Basic and Advanced Life Support services in City of Hampton;

WHEREAS, the provision of such services will be under the medical control of an Operational Medical Director who is a licensed physician in the Commonwealth of Virginia;

WHEREAS, the Rules and Regulations Governing Emergency Medical Services, established by the State Board of Health, requires endorsement of the governing body, for an EMS agency to provide such services; and

WHEREAS, AMR, Inc. may provide valuable services within the City of Hampton, specifically, non-emergent medical transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Hampton City Council as follows:

1. That it endorses AMR, Inc. to establish an office and to conduct its business in City of Hampton, but does not recognize, however, AMR, Inc. as an integral part of the public safety network; and
2. That such endorsement to provide non-emergent medical transport is contingent upon AMR, Inc. being licensed by the State Board of Health to provide non-emergent medical transport in the Commonwealth of Virginia; and
3. That the primary service area of operation for AMR, Inc. shall be the geographic boundaries of the City of Hampton.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

5. 14-0136 Resolution Approving the Appropriation of Additional Funds to the Capital Projects Fund for a VDOT CMAQ Project at Todds Lane and Big Bethel Road

WHEREAS, the City's adopted Capital Improvement Plan (CIP) for FY08 approved funding for VDOT Congestion Mitigation and Air Quality Funds (CMAQ) for intersection improvements at the intersection of Todds Lane and Big Bethel Road; and

WHEREAS, the right of way and construction phase costs are greater than the project costs adopted in the CIP and additional funds are necessary; and

WHEREAS, The Transportation Planning Organization of Hampton Roads (HRPTO) and VDOT have approved additional funding needed for the right of way and construction costs and these funds are reimbursable and are paid on a reimbursement basis following the expenditure of City funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRGINIA: that additional fund's be appropriated in the amount of \$2,027,647 for Todds Lane and Big Bethel Road intersection improvements in the Capital Projects Fund.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

6. 14-0149 Resolution Approving the Transfer of Funds from Intersection Improvements at Big Bethel Road and Thomas Nelson Drive to Intersection Improvements at Woodland Road and Andrews Boulevard That Are Funded with VDOT Highway Safety Improvement Program (HSIP) Funds

WHEREAS, the City's adopted Capital Improvement Plan (CIP) approved funding for VDOT funded intersection improvement projects at Big Bethel Road and Thomas Nelson Drive and at Woodland Road and Andrews Boulevard; and

WHEREAS, the construction cost of the improvements at Big Bethel Road and Thomas Nelson Drive came in under budget and the cost of the improvements at Woodland Road and Andrews Boulevard are greater than programmed; and

WHEREAS, the Virginia Department of Transportation has agreed to transfer the excess funds from the Big Bethel Road and Thomas Nelson Drive intersection improvement project to the Woodland Road and Andrews Boulevard intersection improvement project to cover the additional construction costs; and

WHEREAS, these funds are reimbursable and are paid on a reimbursement basis following the expenditure of City funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRIGINA: that the excess funds from the Big Bethel Road and Thomas Nelson Drive intersection improvement project be transferred and appropriated to the Woodland Road and Andrews Boulevard intersection improvement project in the amount of \$120,000 in the Capital Projects Fund.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

7. 14-0151 Resolution Approving the Transfer of Funds from Intersection Improvements at Executive Drive and Marcella Road to Intersection Improvements at Big Bethel Road and Burton Street That Are Funded with VDOT Highway Safety Improvement Program (HSIP) Funds

WHEREAS, the City's adopted Capital Improvement Plan (CIP) approved funding for VDOT funded intersection improvement projects at Executive Drive and Marcella Road and at Big Bethel Road and Burton Street; and

WHEREAS, the construction cost of the improvements at Executive Drive and Marcella Road came in under budget and the cost of the improvements at Big Bethel Road and Burton Street are greater than programmed; and

WHEREAS, the Virginia Department of Transportation has agreed to transfer the excess funds from the Executive Drive and Marcella Road intersection improvement project to the Big Bethel Road and Burton Street intersection improvement project to cover the additional construction costs; and

WHEREAS, these funds are reimbursable and are paid on a reimbursement basis following the expenditure of City funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRIGINA: that the excess funds from the Executive Drive and Marcella Road intersection improvement project be transferred and appropriated to the Big Bethel Road and Burton Street intersection improvement project in the amount of \$40,000 in the Capital Projects Fund.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

8. 14-0152 Resolution Endorsing NuCare Carolina Ambulance, Inc. To Establish An Office In The City Of Hampton To Provide Non-Emergent Medical Transport While Making Clear That NuCare Carolina Ambulance, Inc. Is Not An Integral Part Of The Public Safety Network

WHEREAS, NuCare Carolina Ambulance, Inc., desires to offer Basic and Advanced Life Support services in City of Hampton;

WHEREAS, the provision of such services will be under the medical control of an Operational Medical Director who is a licensed physician in the Commonwealth of Virginia;

WHEREAS, the Rules and Regulations Governing Emergency Medical Services, established by the State Board of Health, requires endorsement of the governing body, for an EMS agency to provide such services; and

WHEREAS, NuCare Carolina Ambulance, Inc. may provide valuable services within the City of Hampton, specifically, non-emergent medical transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Hampton City Council as follows:

1. That it endorses NuCare Carolina Ambulance, Inc. to establish an office and to conduct its business in City of Hampton, but does not recognize, however, NuCare Carolina Ambulance, Inc. as an integral part of the public safety network; and
2. That such endorsement to provide non-emergent medical transport is contingent upon NuCare Carolina Ambulance, Inc. being licensed by the State Board of Health to provide non-emergent medical transport in the Commonwealth of Virginia; and
3. That the primary service area of operation for NuCare Carolina Ambulance, Inc. shall be the geographic boundaries of the City of Hampton.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

9. 14-0148 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the Hazard Mitigation Grant Program through the Virginia Department of Emergency Management.

WHEREAS, the Virginia Department of Emergency Management has awarded the Hazard Mitigation Grant Program application titled, "City of Hampton, Elevation of 8 Residential Properties," to the City of Hampton in the amount of \$1,309,191 of which \$981,893 will be provided by the Federal Emergency Management Agency and \$261,838 will be provided by the Virginia Department of Emergency Management and with a local match required of \$65,460 which the City will pass through to participating homeowners; and

WHEREAS, the grant award covers the period January 2, 2014 through December 10, 2016,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton accepts and appropriates the Hazard Mitigation Grant Program DR-4024 award in the amount of \$1,309,191 and any related supplemental funding by the Virginia Department of Emergency Management in accordance with the grant agreement;

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager or her designee to take the necessary steps to implement this grant award.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

10. 14-0159 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the FY 2013 Supplemental Local Emergency Management Performance Grant through the Virginia Department of Emergency Management.

WHEREAS, the Virginia Department of Emergency Management has awarded a 2013 Supplemental Local Emergency Management Performance to the City of Hampton in the amount of \$35,000 with a local match required of \$35,000 for a total grant amount of \$70,000; and

WHEREAS, the grant award covers the period February 20, 2014 through March 30, 2015,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton accepts and appropriates the 2013 Supplemental Local Emergency Management Performance in the amount of \$70,000 awarded and any related supplemental funding by the Virginia Department of Emergency Management in accordance with the grant agreement;

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager or her designee to take the necessary steps to implement this grant award.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

11. 14-0160 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the FY 2013 Supplemental Local Emergency Management Performance Grant through the Virginia Department of Emergency Management.

WHEREAS, the Virginia Department of Emergency Management has awarded a 2013 Supplemental Local Emergency Management Performance to the City of Hampton

in the amount of \$20,868 with a local match required of \$20,868 for a total grant amount of \$41,736; and

WHEREAS, the grant award covers the period February 20, 2014 through March 30, 2015,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton accepts and appropriates the 2013 Supplemental Local Emergency Management Performance in the amount of \$41,736 awarded and any related supplemental funding by the Virginia Department of Emergency Management in accordance with the grant agreement;

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager or her designee to take the necessary steps to implement this grant award.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

12. 14-0146 Ordinance To Amend And Reenact Chapter 36 Of The Code Of The City Of Hampton, Virginia Entitled "Swimming Pools", By Amending Section 36-51 "Outlet Drain" To Make Consistent With New Stormwater Regulations.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

13. 14-0162 Resolution Appropriating Funds from the Air Power Park Museum FY14 Donation Account to be utilized for Special Programs, Materials, and Equipment

BE IT RESOLVED by the Council of the City of Hampton, Virginia that \$965.66 be appropriated from the Air Power Park museum's FY14 Donation Account to underwrite Aviation and the Creation of Aerial Systems.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

14. 14-0170 Modification of Nakia Cook's term on the Peninsula Agency on Aging Board of Directors to be from October 1, 2013, until September 30, 2014.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

15. 14-0172 Request for Refunds for Tax Years 2012, 2013 and 2014

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

A copy of the Request for Refunds for Tax Years 2012, 2013 and 2014 is attached to the minutes.

16. 14-0174 Resolution Supporting the Hampton Streetcar 390 Project

WHEREAS, Streetcar 390 was built in 1917 by the G.J. Brill Company of Philadelphia; and

WHEREAS, Streetcar 390 is a semi-convertible model which last ran on Hampton's tracks in 1946; and

WHEREAS, The Baltimore Streetcar Museum acquired the streetcar and moved it to the museum for renovation in 1978 and the streetcar is still there but has never been fully restored; and

WHEREAS, The Baltimore Streetcar Museum is willing to donate the streetcar to the City of Hampton if there is a commitment to restoration and display; and

WHEREAS, a committee of local residents including, but not limited to, Gregory Siegel, Chair; Michael McHenry, Vice Chair/Logistics; Nancy and Bill Beach, Fundraising; Marshall Rouse McClure and Holly Evans, Marketing; Ron and Carrie Quinn, Architecture and Design; and Hank Mummert, Historian; seek to accomplish this restoration and display in Hampton in concert with the Hampton History Museum; and

WHEREAS, The Hampton Streetcar 390 Project's goals are (1) to restore the last known streetcar that ran in Hampton and the surrounding areas, and (2) to construct an exhibition center to house the restored car and educational displays showcasing the history of transportation in Hampton; and

WHEREAS, The Hampton History Museum Association has already endorsed these goals and approved the use of its 501(c)3 account for fundraising purposes; and

WHEREAS, To begin the project's fundraising, it is necessary to establish the City Council's support of the effort.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Hampton, Virginia wholeheartedly supports the efforts to return the Hampton Streetcar 390 to its original home and therefore wishes to convey its support of the Hampton Streetcar 390 Committee to any potential donor.

APPROVED items 1 through 16 on the consent agenda.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Vice Mayor Linda Curtis

Ayes: 6 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace

Nays: 1 - Donnie R. Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Ms. Glass read the protocol for the Public Hearing items.

REZONINGS

17. 14-0154 Rezoning Application No. 1312-2013 by Foxcroft, L.P. to rezone 14.38 + acres located at 59 Stapleford Way [LRSN 8003549] from One-Family Residence (R-11) District to Multiple Dwelling (MD-2) District with conditions.

This item was handled at the beginning of the meeting following the Pledge of Allegiance.

DEFERRED (5/14/2014)

Motion made by: Councilmember Chris Snead

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nays: 0

USE PERMIT

18. 14-0155 Use Permit Application No. 14-00003 by PetSmart to operate a veterinary health facility at 3670 Von Schilling Drive [LRSN 13002020] at Peninsula Town Center.

Ms. Bunting introduced City Planner Toluwalase Ibikunle to brief Council on the item. A copy of the presentation is attached to the minutes.

Ms. Ibikunle greeted those on the dais and the public. She stated the applicant, PetSmart, is proposing to open a Veterinary health facility in the fall of 2014 which will include additional services such as grooming, pet adoption and training areas. The site location is indicated by the red star on slide 4 of the presentation, and is specifically located at 3670 Von Schilling Drive beside the H&M clothing store, below the Cinebistro movie theatre, closest to I-64 and the Macey's building.

Ms. Ibikunle reviewed slides 6 and 7 which list additional proposed services that the facility would provide. She noted that the conceptual site plan shows that there would be ample parking to accommodate what is being proposed and that there would be no traffic impacts.

Ms. Ibikunle said the site and surrounding businesses are zoned C-2, limited commercial, and are covered by the special public interest, Coliseum Central District. She noted that veterinary health facilities are permitted in C-2 districts; however, the other proposed services are permitted by-right in our Zoning Ordinance.

Ms. Ibikunle emphasized one of the conditions, Issuance of Permit, means if approved, the Use Permit is only allowed to be used at this site (3670 Von Schilling Drive). Furthermore, there is a condition to ensure the licensing requirements are met by the Virginia Board of Veterinary Medicine and animal boarding is only permitted for medical purposes, for example surgery requiring overnight care.

Ms. Ibikunle said both the Hampton Community Plan and the Coliseum Central Master Plan call for mixed use development at this site, recommend expanding the Coliseum Central area retail and office services, promote supporting new businesses, and are trying to reach the goal of making Hampton and the Coliseum Central area a retail destination.

Ms. Ibikunle stated staff recommends approval of this use permit application with the following five conditions:

Conditions:

1. Issuance of Permit

The Use Permit applies only to 3670 Von Schilling Drive (LRSN 13002020) at Peninsula Town Center and is not transferable to another location.

2. Licensing

The Use Permit may be terminated for any violation of federal, state, or local law, or any licensing requirements of the Virginia Board of Veterinary Medicine.

3. Boarding of Animals

Boarding of animals is prohibited except for boarding under the supervision of a licensed veterinarian where animals are boarded and cared for incident to veterinary treatment.

4. Revocation

Failure to comply with any conditions of Use Permit Application No. 14-00003 shall constitute a violation of the provisions of Chapter 20 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

5. Nullification

a. The Use Permit shall become null and void if no building permit to construct the authorized improvements has been issued within 12 months of the date of approval by the City Council, or if no building permit is required, if the use is not established within 12 months of the date of approval by the City Council; or

b. Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance.

Mayor Wallace opened the floor for comments from those on the dais. There being none, he opened the Public Hearing, stated no one signed up to speak and called for any speakers including anyone who wishes to speak on behalf of the applicant.

PUBLIC HEARING:

Mr. Stephen R. Romine, Attorney at Law (on behalf of the applicant), 999 Waterside Drive, Suite 2100, Norfolk, Va. 23510, greeted those on the dais, thanked Ms. Ibikunle for her work on the application, stated he would appreciate Council's support on this and then stated he would answer any questions from those on the dais. No questions were posed.

PRESENTED by Tolu Ibikunle, City Planner.

HELD PUBLIC HEARING - there were no speakers on the item.

APPROVED subject to five conditions.

Motion made by: Vice Mayor Linda Curtis

Seconded by: Councilmember Chris Snead

Aye: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nay: 0

19. 14-0156 Use Permit Application No. 14-00004: Proposal by Sovonia Golden, to operate a Day Care 3 for up to 49 children at 3311 Kecoughtan Road [LRSN 13002647].

Ms. Bunting introduced City Planner Allison Alexander to brief Council. A copy of the presentation is attached to the minutes. Ms. Alexander said the applicant is applying for a Use Permit for a daycare 3 for up to 49 children between the ages of 0-12 years and between the hours of 6 a.m. and midnight Monday through Friday. She then reviewed the maps on slides 3 through 5 which indicate the location of the proposed site, specifically, at 3311 Kecoughtan Road at the corner of Algonquin Road and Kecoughtan Road. Ms. Alexander noted that the site is currently zoned R-13, single family residential zoning, which allows for a daycare with a use permit. She also noted that the applicant has proposed opening the establishment as soon as she receives the use permit, ideally in April. Ms. Alexander stated staff feels as though this is a compatible use with the surrounding neighborhoods and recommends approval of this use permit application with 10 conditions. Ms. Alexander opened the floor for questions from those on the dais to be directed to either her or the applicant.

In response to Councilman Stuart, Ms. Alexander noted that the building is currently vacant, but was utilized as a school, Emmanuel Lutheran Church, under the previous owners.

Conditions:

1. Issuance of Permit

The Use Permit applies only to 3311 Kecoughtan Road, and is not transferable to another location.

2. Hours of Operation

The hours of operation shall be limited to 6:00 AM until midnight Monday through Friday.

3. Traffic

Loading and unloading of children from vehicles shall be conducted on site and not on any public street.

4. Ledger

The applicant must maintain a daily ledger containing the names of children cared for which shall be available for inspection by authorized personnel of the City of Hampton without notice.

5. Certificate of Occupancy

The applicant must obtain a Certificate of Occupancy prior to commencing the day care operation.

6. Licensing

The applicant must maintain a valid license with the Virginia Department of Social Services and this Use Permit may be terminated for any violation of federal, state, or local law.

7. Capacity

The day care center capacity shall not exceed forty-nine (49) children, or the number listed on the capacity certificate, whichever is fewer.

8. Age

The ages of children shall range from zero (0) years to twelve (12) years of age.

9. Nullification

a. The Use Permit shall become null and void if the use is not established within twelve (12) months of the date of approval by City Council.

b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of twenty-four (24) consecutive months.

10. Revocation

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in chapter 20 of the zoning ordinance.

PUBLIC HEARING:

There were no speakers on this item. Mayor Wallace called for any comments from the applicant. There being none, the Public Hearing was closed.

PRESENTED by Alison Alexander, City Planner.

HELD PUBLIC HEARING - there were no speakers on this item.

APPROVED subject to ten conditions.

Motion made by: Vice Mayor Linda Curtis

Seconded by: Councilmember Chris Snead

Aye: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nay: 0

ORDINANCES

20. 14-0150 Ordinance Vacating a Surplus (1) 60' Public Access Easement Containing 79,426± Square Feet (LRSNs 13003975 and 13003976); (2) a 60' Public Utility Easement Containing 76,520± Square Feet (LRSNs 13003975 and 13003976); and (3) a Pump Station Easement Containing 2,679± Square Feet (LRSN 13003979) Located at 41 Floyd Thompson Boulevard.

This item was handled at the beginning of the meeting following the Pledge of Allegiance.

DEFERRED (5/14/2014)

Motion made by: Vice Mayor Linda Curtis

Seconded by: Councilmember Chris Snead

Ayes: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nays: 0

21. 14-0157 Ordinance to Amend Chapter 13.1 of the City Code of the City of Hampton, Virginia Entitled "Land Disturbing Operations" to Comply With Chapter 33.2 of the City Code of the City of Hampton, Virginia Entitled "Stormwater Management Ordinance," by Amending Section 13.1-1, Definitions; Section 13.1-2, Purpose of Chapter; Section 13.1-3, Exemptions from Chapter; Section 13.1-4, Relationship of Chapter to Other Ordinances and Regulations; Section 13.1-5, Permit Required; Section 13.1-6, Permit Application and Fee; Section 13.1-7, Application of State Guidelines, Standards, Etc.; Section 13.1-8, General Requirements; Section 13.1-9, Responsibility of Property Owner When Work to be Done by Contractor; Section 13.1-10, Responsibility and Bond for Control Measures; Section 13.1-11, Preparation of Plan; Preliminary Plan; Section 13.1-12, Single-Family Detached Residences; Section 13.1-13, Approval or Disapproval of Plan; Section 13.1-14, Appeals from Decisions under Chapter; Section 13.1-15, Amendment of Approved Plan; Section 13.1-16, Bond; Section 13.1-17, Issuance or Refusal of Permit; Section 13.1-18, Term of Permit; Section 13.1-19, Permit Restrictions and Conditions; Section 13.1-20, Periodic Inspections of Land-Disturbing Activities; Section 13.1-21, Use of Certain Fill Material Prohibited; Section 13.1-22, Covering of Fill Projects; Section 13.1-23, Right of Entry of Agent; Section 13.1-24, Correction of Dangerous Conditions and Revocation; Section 13.1-25, Final Inspection of, and Certification of Completion for, Land-Disturbing Activity; Section 13.1-26, Completion of Work by Surety or City Agents; Section 13.1-27, Agent Designated for Administration and Enforcement of Chapter; Section 13.1-28, Notice of Violations; Section 13.1-29, Damaging, Removing, Etc., Erosion-

Prevention Bags; and Section 13.1-31, Penalties, Injunctions and Other Legal Actions

Ms. Bunting stated that this item and item 14-0158 relate to the State Code requirements and Federal Regulations concerning Stormwater Management. She noted that Council was briefed on this last month and reviewed the State requirements regarding what needs to be done (as all localities in our area are having to do) to come into compliance with the new State Code requirements. She noted a presentation has not been planned for this evening since Council was briefed last month; however, Water Resources Engineer Gayle Hicks and other members of the Public Works team were present should Council have questions.

Councilman Tuck read a statement from a citizen regarding this item. A copy of the statement is attached to the minutes. Mayor Wallace noted that City Manager Bunting will take the statement under advisement and staff will govern itself accordingly.

PUBLIC HEARING:

There were no speakers on this item. The Public Hearing was closed.

HELD PUBLIC HEARING - Councilman Tuck read a statement of a citizen into the record. That statement is on file in the meeting file in the office of the Clerk of Council.

APPROVED

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Councilmember Chris Snead

Aye: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nay: 0

22. 14-0158 Ordinance to Repeal Chapter 33.1 of the City Code of the City of Hampton, Virginia Entitled "Stormwater Management," in Its Entirety and Enact Chapter 33.2 of the City Code of the City of Hampton, Virginia Entitled "Stormwater Management" to Integrate the Stormwater Management Requirements with the Requirements of Erosion and Sediment Control, Flood Insurance, Flood Plain Management, and the Chesapeake Bay Preservation Act Into a Unified Program Pursuant to Virginia Code § 62.1-44.15:24, Et Seq.

PUBLIC HEARING:

Mayor Wallace noted that no one signed up to speak and called for speakers from the audience. There being none, the Public Hearing was closed.

HELD PUBLIC HEARING - there were no speakers on this item.

APPROVED

Motion made by: Vice Mayor Linda Curtis

Seconded by: Councilmember Chris Snead

Aye: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nay: 0

GENERAL ITEMS**APPOINTMENTS**

At Mayor Wallace's request, the Clerk read the required motion with respect to appointments to be considered.

23. 13-0433 to consider an appointment to the Virginia Alcohol Safety Action Program (VASAP)

APPOINTED Terri Tennessee to fill the unexpired portion of a term which will expire on June 30, 2014.

Motion made by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nays: 0

24. 14-0169 to consider appointments to the Virginia Air & Space Center Board of Directors

REAPPOINTED James A. "Pete" Peterson and appointed James Read Chisman and John Smith to four year terms which will expire on June 30, 2018.

Motion made by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nays: 0

25. 14-0166 Appointment to the Economic Development Authority.

REAPPOINTED Ben Williams to his second term and appointed Eleanor Brown for her first four year term. These terms will expire on March 31, 2018.

Motion made by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Nays: 0

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

To assure Council and the public that we are following up with citizens on their concerns, Ms. Bunting addressed some of the concerns brought up during the Public Comment Period. She indicated that she has personally visited the area Mr. William Webster spoke of along with numerous visits by staff including the Director of Public Works, and staff simply disagrees with Mr. Webster's position on what should be done and unfortunately, we cannot always meet every citizen's desires on an individual level. In response to comments made by Mr. David Dietrich, she indicated that City Council is welcome to review the School Board budget, but it is not within Council's purview to address that budget. She emphasized that the Virginia Code gives explicit authority about line item review of the budget and adoption of the School Budget to the elected

School Board. Ms. Bunting stated Mr. Dietrich has also asked Council on many occasions to take a position on the Constitutionality of the National Defense Authorization Act; however, it has been her as well as the City Attorney's guidance that it is not within the Council's purview to opine on the constitutionality of law and that our Constitution reserves that right to the Court system. She noted this is another example of where we have entertained the matter, but disagree about the approach. Ms. Bunting said that during the break, she checked Mr. Edwin Boone's real estate tax bill and determined that it in fact had increased by \$33.50 per month as opposed to the \$100 per month he indicated during the Public Comment Period.

Ms. Bunting announced that we have recently learned from the National Civic League (NCL) that Hampton has been announced as one of twenty-five finalists for the 2014 All-American City Award. Hampton is one of only two cities from Virginia invited to be in this finalist round. She explained that each year, the NCL examines applications on behalf of various cities and then awards what they believe to be outstanding community-based civic accomplishments. She added that this is a prestigious award as the NCL is a 120 year old nonpartisan, non-profit organization. She noted this not only spotlights local government, but also spotlights the activities of a community at large. She noted the programs we submitted included the Mayor's Book Club Program, School Dropout Prevention Program and the Citizen Engagement done on the budget development over the last several years. She said we look forward to competing and bringing home this award for a third time.

Mayor Wallace added that hundreds of communities make the application to be designated as an All-American City and we are one of the twenty-five finalists, and only two Virginia cities are included in that number. He said the next step is to send a group of citizens to Colorado to talk about our submission. He said the last time we did this in 2002, the City contingent was led by Councilman Moffett (who was not a Councilmember at the time). He encouraged Councilman Moffett to be a part of that group again this year to make the pitch for the City of Hampton. Mayor Wallace thanked Ms. Bunting, staff and the Councilmembers for setting the environment for this as we go onward and upward.

Vice Mayor Curtis shared that she gave the welcome at the Burmese Mountain Dog Club of America event this morning at the Hampton Roads Convention Center. She shared that it was a wonderful event that is a national show with international participants, and there were 400 dogs and their 'people' in attendance. Vice Mayor Curtis also commended the Hampton High School ROTC Color Guard who participated in the opening event even though they are on spring break. She commended the Hampton Convention and Visitor Bureau Executive Director Sallie Grant-DiVenuti and her staff for bringing this large group of people to Hampton. She also commended the Embassy Suites for allowing the dogs to stay on their property, a first for them. Vice Mayor Curtis added that the participants were very pleased to be in Hampton and want to return.

MISCELLANEOUS NEW BUSINESS

Mayor Wallace opened the floor for additional comments, new business items and/or Regional issues. There being none, the meeting was adjourned at 7:40 p.m.

George E. Wallace
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____



City of Hampton

OFFICE OF THE TREASURER

ROBERT S. WILLIAMS

Treasurer

1 Franklin Street, Ste. 100 • P.O. Box 638 • Hampton, VA 23669-0638

<http://www.hampton.gov/treasurer>

Telephone (757) 727-6374

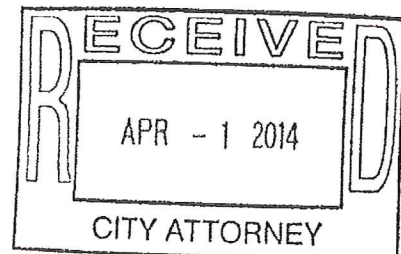
Fax (757) 727-6796

MEMORANDUM

DATE: March 28, 2014
TO: Vanessa Valdejuli, City Attorney
FROM: Jauwan Parks, Deputy Treasurer
RE: Refund Application(s)

Attached are 3 refund applications totaling \$38,099.30 to be issued to:

Verizon Communications Inc
PO Box 152206
Irving TX 75015



(continued)

**CITY OF HAMPTON, VIRGINIA
OFFICE OF ASSESSOR OF REAL ESTATE
NOTICE TO CITY TREASURER
REQUEST FOR ABATEMENT AND/OR REFUND**

VERIZON VIRGINIA INC
4458 MADISON INDUSTRIAL LN
TAMPA FL 33619

PROPERTY CODE 7001542
BILL NUMBER 44336
TAX ACCOUNT 1156942
EXONERATIONS 1004565, 1004566
TAX YEAR 2014
EFFECTIVE DATE 01-JUL-2013
GPIN/MAP: 07H018 00 00000PCL
PARCEL ID: 07H018 00 00000PCL

LEGAL DESC: ENFIELD DR. PCL. 2.88AC
PROPERTY ADDRESS: 2046 ENFIELD DRIVE HAMPTON VA

BILLING PERIOD: 01-JUL-2013 THRU 30-JUN-2014

OPERATOR: AHOWER

DATE CHANGED: 21-MAR-2014

Note: ABATE LAND & BLDG TO ZERO VALUE FOR VERIZON OWNED PROPERTY

	LAND VALUE	IMP VALUE	TOTAL VALUE	INSTALLMENT1	INSTALLMENT2	ANNUAL TAX
ORIGINAL						
ASSESSMENT	1,034,300.00	221,700.00	1,256,000.00	7,787.20	7,787.20	15,574.40
ABATEMENT	1,034,300.00	221,700.00	1,256,000.00	7,787.20	7,787.20	15,574.40
CORRECTED						
ASSESSMENT	.00	.00	.00	.00	.00	.00

INSTALLMENT 1 REFUND APPLICATION AMT: \$7787.20

$\$7787.20 + \$778.72(\text{PEN}) = \$8565.92$


REFUND APPLICATION #: 243408

FINAL REFUND AMOUNTS DETERMINED BY THE TREASURER

REAL ESTATE LEVY COMPUTED USING TOTAL TAX RATE OF 1.24 PER \$100 OF ASSESSED VALUE

YOUR ASSESSMENT HAS BEEN CHANGED FOR THE REASON STATED ABOVE.
IN ACCORDANCE WITH THIS ORDER THE REAL ESTATE ASSESSOR WILL CORRECT YOUR ACCOUNT
BY THE AMOUNTS SHOWN.

THE TOTAL REDUCTION IN TAXES IS \$15574.40.


REAL ESTATE ASSESSOR

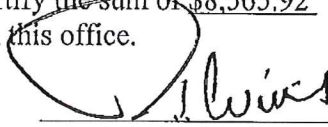
DATE: 21-MAR-2014

OFFICE OF ASSESSOR OF REAL ESTATE, CITY OF HAMPTON, VIRGINIA

I hereby certify the sum of \$8,565.92 paid to the City Treasury as disclosed by the records in this office.

3/28/14

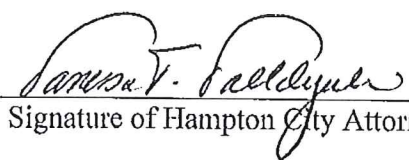
Date


Signature of Hampton City Treasurer

I hereby certify that on the basis of the facts set forth on this form, the taxpayer is legally entitled to a refund of \$8,565.92 according to the provisions of Virginia Code Section 58.1-3981 and 58.1-3916, and I hereby consent to the issuance of a refund, provided the City Council so orders.

4/2/14

Date


Signature of Hampton City Attorney

At a regular meeting of the City Council of the City of Hampton held in the City Hall on _____, the Council ordered and directed the Treasurer and Director of Finance to refund the sum of \$ _____ to the taxpayer.

Date

Signature of Clerk of Council

Refunds should be issued to:

Name VERIZON COMMUNICATIONS INC
Address PO BOX 152206
IRVING TX 75015

CITY OF HAMPTON, VIRGINIA
OFFICE OF ASSESSOR OF REAL ESTATE
NOTICE TO CITY TREASURER
REQUEST FOR ABATEMENT AND/OR REFUND

VERIZON VIRGINIA INC
4458 MADISON INDUSTRIAL LN
TAMPA FL 33619

PROPERTY CODE 7001542
BILL NUMBER 44352
TAX ACCOUNT 1156942
EXONERATIONS 1004569, 1004570
TAX YEAR 2012
EFFECTIVE DATE 01-JUL-2011
GPIN/MAP: 07H018 00 00000PCL
PARCEL ID: 07H018 00 00000PCL

LEGAL DESC: ENFIELD DR. PCL. 2.88AC
PROPERTY ADDRESS: 2046 ENFIELD DRIVE HAMPTON VA

BILLING PERIOD: 01-JUL-2011 THRU 30-JUN-2012

OPERATOR: AHOWER

DATE CHANGED: 21-MAR-2014

Note: ABATE LAND & BLDG TO ZERO VALUE FOR VERIZON OWNED PROPERTY

	LAND VALUE	IMP VALUE	TOTAL VALUE	INSTALLMENT1	INSTALLMENT2	ANNUAL TAX
ORIGINAL						
ASSESSMENT	1,034,300.00	233,400.00	1,267,700.00	6,592.04	6,592.04	13,184.08
ABATEMENT	1,034,300.00	233,400.00	1,267,700.00	6,592.04	6,592.04	13,184.08
CORRECTED						
ASSESSMENT	.00	.00	.00	.00	.00	.00

INSTALLMENT 1 REFUND APPLICATION AMT: \$6592.04

$\$6592.04 + \$1153.61(\text{INT}) = \$7745.65$

INSTALLMENT 2 REFUND APPLICATION AMT: \$6592.04

$\$6592.04 + \$1153.61(\text{INT}) = \$7745.65$

REFUND APPLICATION #: 243411 243412

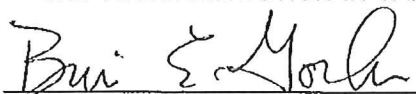
FINAL REFUND AMOUNTS DETERMINED BY THE TREASURER

REAL ESTATE LEVY COMPUTED USING TOTAL TAX RATE OF 1.04 PER \$100 OF ASSESSED VALUE

YOUR ASSESSMENT HAS BEEN CHANGED FOR THE REASON STATED ABOVE.

IN ACCORDANCE WITH THIS ORDER THE REAL ESTATE ASSESSOR WILL CORRECT YOUR ACCOUNT BY THE AMOUNTS SHOWN.

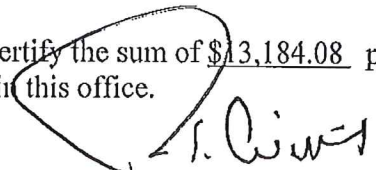
THE TOTAL REDUCTION IN TAXES IS \$13184.08.

 3/2/14
REAL ESTATE ASSESSOR DATE: 21-MAR-2014
OFFICE OF ASSESSOR OF REAL ESTATE, CITY OF HAMPTON, VIRGINIA

I hereby certify the sum of \$13,184.08 paid to the City Treasury as disclosed by the records in this office.

3/28/14

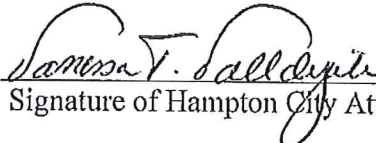
Date


Signature of Hampton City Treasurer

I hereby certify that on the basis of the facts set forth on this form, the taxpayer is legally entitled to a refund of \$15,491.30 according to the provisions of Virginia Code Section 58.1-3981 and 58.1-3916, and I hereby consent to the issuance of a refund, provided the City Council so orders.

4/2/14

Date


Signature of Hampton City Attorney

At a regular meeting of the City Council of the City of Hampton held in the City Hall on _____, the Council ordered and directed the Treasurer and Director of Finance to refund the sum of \$_____ to the taxpayer.

Date

Signature of Clerk of Council

Refunds should be issued to:

Name VERIZON COMMUNICATIONS INC
Address PO BOX 152206
IRVING TX 75015

**CITY OF HAMPTON, VIRGINIA
OFFICE OF ASSESSOR OF REAL ESTATE
NOTICE TO CITY TREASURER
REQUEST FOR ABATEMENT AND/OR REFUND**

VERIZON VIRGINIA INC
4458 MADISON INDUSTRIAL LN
TAMPA FL 33619

PROPERTY CODE 7001542
BILL NUMBER 44264
TAX ACCOUNT 1156942
EXONERATIONS 1004567, 1004568
TAX YEAR 2013
EFFECTIVE DATE 01-JUL-2012
GPIN/MAP: 07H018 00 00000PCL
PARCEL ID: 07H018 00 00000PCL

LEGAL DESC: ENFIELD DR. PCL. 2.88AC
PROPERTY ADDRESS: 2046 ENFIELD DRIVE HAMPTON VA

BILLING PERIOD: 01-JUL-2012 THRU 30-JUN-2013

OPERATOR: AHOWER

DATE CHANGED: 21-MAR-2014

Note: ABATE LAND & BLDG TO ZERO VALUE FOR VERIZON OWNED PROPERTY.

	LAND VALUE	IMP VALUE	TOTAL VALUE	INSTALLMENT1	INSTALLMENT2	ANNUAL TAX
ORIGINAL						
ASSESSMENT	1,034,300.00	221,700.00	1,256,000.00	6,531.20	6,531.20	13,062.40
ABATEMENT	1,034,300.00	221,700.00	1,256,000.00	6,531.20	6,531.20	13,062.40
CORRECTED						
ASSESSMENT	.00	.00	.00	.00	.00	.00

INSTALLMENT 1 REFUND APPLICATION AMT: \$6531.20 $\$6531.20 + \$489.84(\text{INT}) = \$7021.04$
INSTALLMENT 2 REFUND APPLICATION AMT: \$6531.20 $\$6531.20 + \$489.84(\text{INT}) = \$7021.04$
REFUND APPLICATION #: 243409 243410
FINAL REFUND AMOUNTS DETERMINED BY THE TREASURER

REAL ESTATE LEVY COMPUTED USING TOTAL TAX RATE OF 1.04 PER \$100 OF ASSESSED VALUE

YOUR ASSESSMENT HAS BEEN CHANGED FOR THE REASON STATED ABOVE.
IN ACCORDANCE WITH THIS ORDER THE REAL ESTATE ASSESSOR WILL CORRECT YOUR ACCOUNT
BY THE AMOUNTS SHOWN.

THE TOTAL REDUCTION IN TAXES IS \$13062.40.


REAL ESTATE ASSESSOR

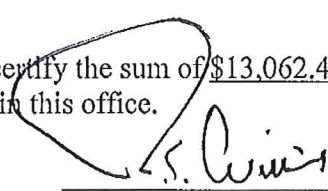
DATE: 21-MAR-2014

OFFICE OF ASSESSOR OF REAL ESTATE, CITY OF HAMPTON, VIRGINIA

I hereby certify the sum of \$13,062.40 paid to the City Treasury as disclosed by the records in this office.

3/28/14

Date


Signature of Hampton City Treasurer

I hereby certify that on the basis of the facts set forth on this form, the taxpayer is legally entitled to a refund of \$14,042.08 according to the provisions of Virginia Code Section 58.1-3981 and 58.1-3916, and I hereby consent to the issuance of a refund, provided the City Council so orders.

4/2/14
Date


Signature of Hampton City Attorney

At a regular meeting of the City Council of the City of Hampton held in the City Hall on _____, the Council ordered and directed the Treasurer and Director of Finance to refund the sum of \$ _____ to the taxpayer.

Date

Signature of Clerk of Council

Refunds should be issued to:

Name VERIZON COMMUNICATIONS INC
Address PO BOX 152206
IRVING TX 75015

Use Permit Application #14-00003
by PetSmart



Hampton
VIRGINIA

City Council
April 9, 2014

APPLICATION

❖ Veterinary Health Facility

BACKGROUND

- ❖ PetSmart to open a store – Sept/Oct 2014
- ❖ Proposed uses:
 - ❖ Veterinary health facility (use permit – subject of proposal)
 - ❖ Grooming facility
 - ❖ Pet adoption area
 - ❖ Training area

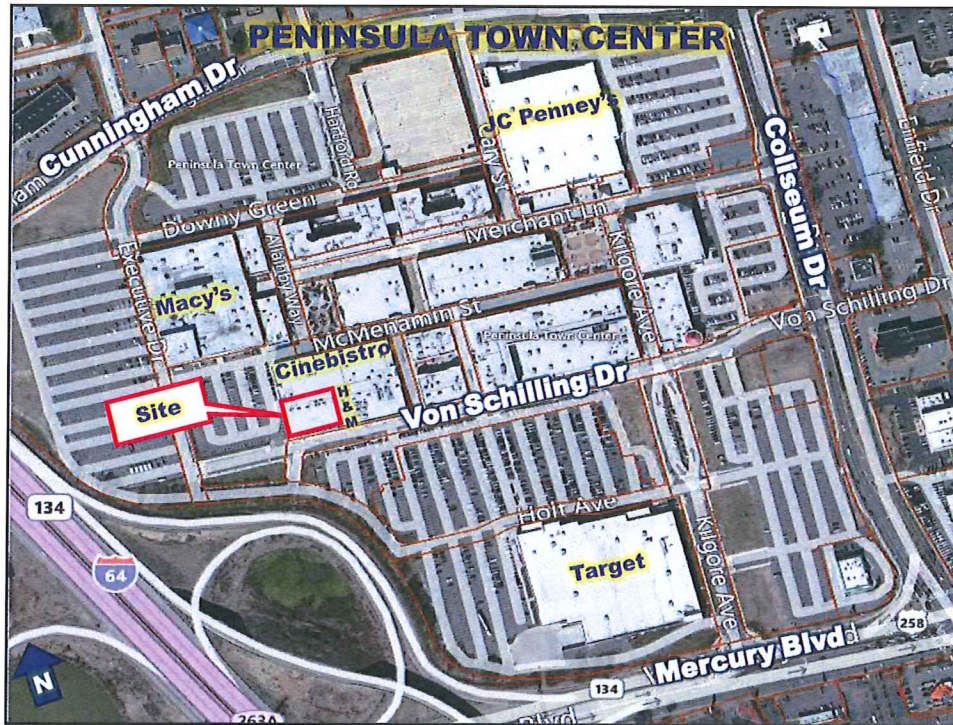
Community Development Department
April 9, 2014

Use Permit No. 14 - 00003

- Community Development Department
April 9, 2014

Use Permit No. 14 - 00003





PROPOSAL

❖ Veterinary health facility services include:

- ❖ Outpatient care
- ❖ Routine examinations
- ❖ Vaccinations
- ❖ Pharmacy
- ❖ Dental
- ❖ Most surgical procedures

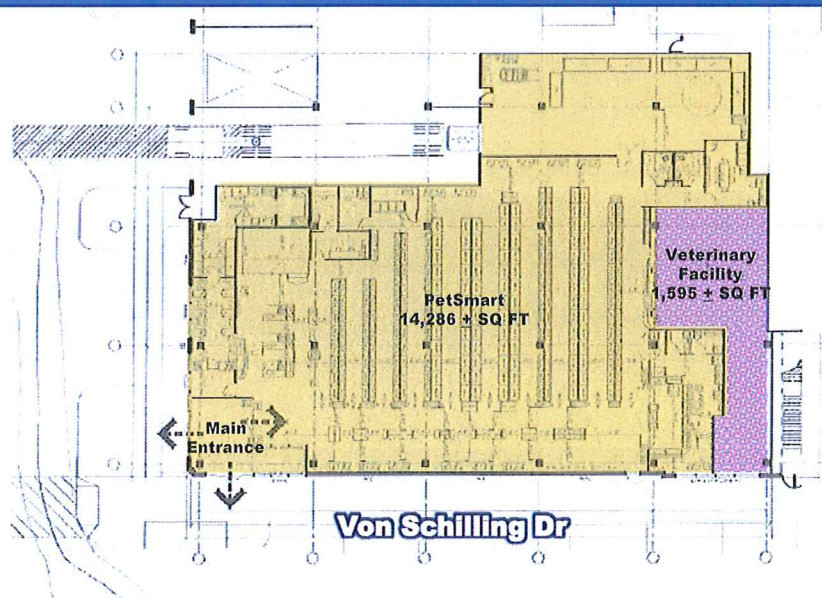
PROPOSAL

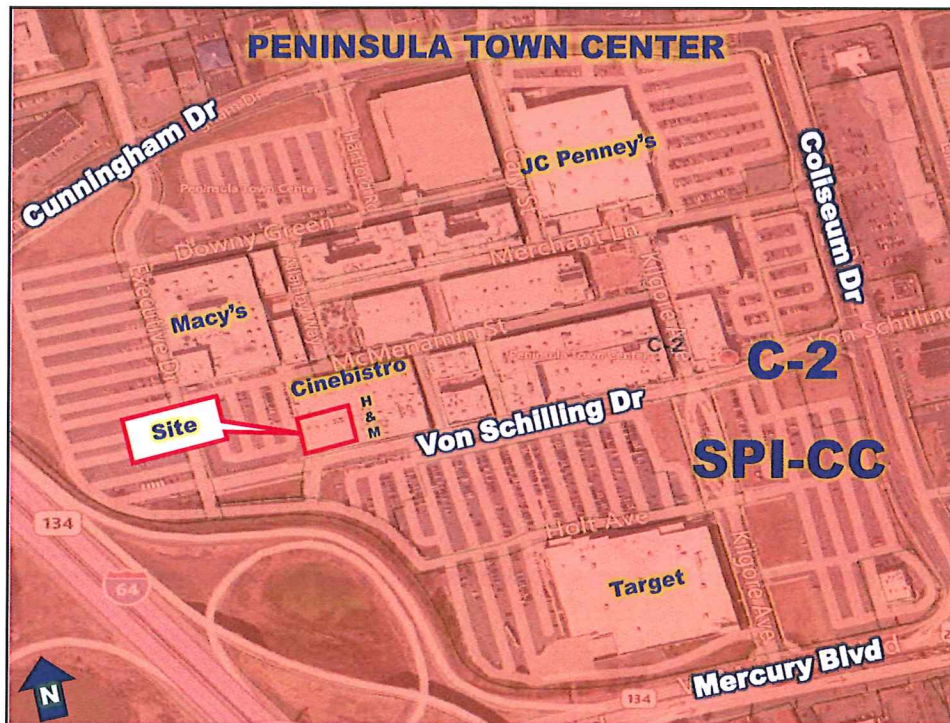
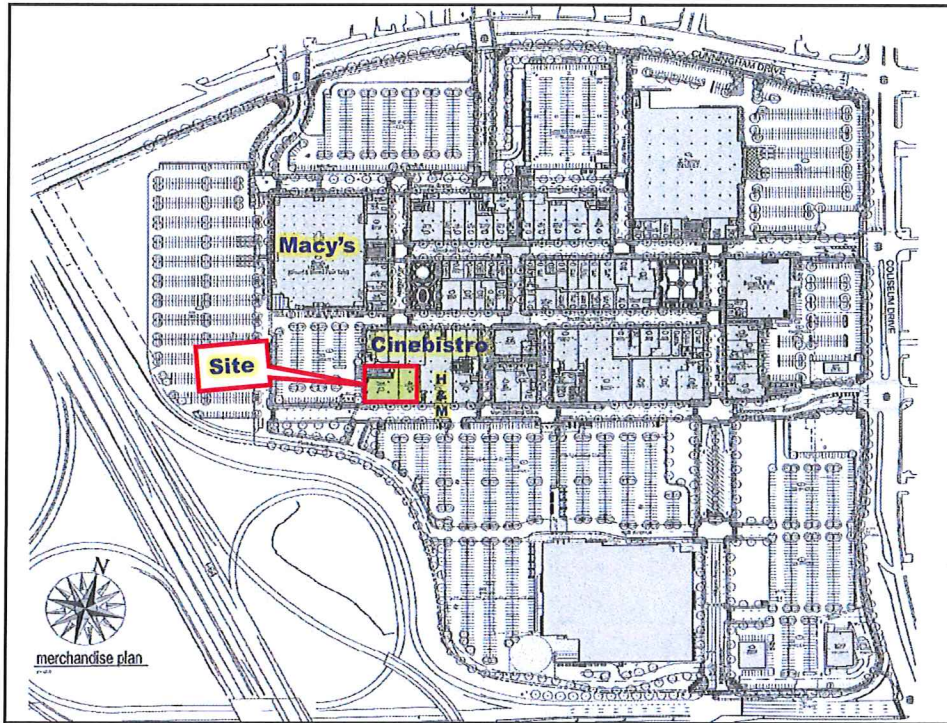
- ❖ **Veterinary health facility:**
 - ❖ Occupy 1,595 ± square feet out of 14,286 ± square feet
 - ❖ Operated by Bainfield, licensed affiliate of PetSmart

Community Development Department
March 6, 2014

Use Permit No. 14 - 00003

FLOOR PLAN





REASON FOR USE PERMIT

- ❖ **C-2 permits veterinary health facilities with an approved use permit**
- ❖ **Permitted uses by-right:**
 - ❖ **Grooming facility**
 - ❖ **Pet adoption area**
 - ❖ **Training area**

Community Development Department
April 9, 2014

Use Permit No. 14 - 00003

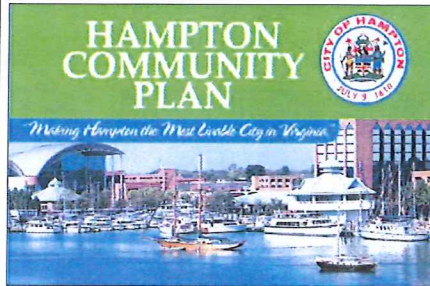
Conditions

- ❖ **Issuance of permit**
- ❖ **Licensing requirements, Virginia Board of Veterinary Medicine**
- ❖ **No animal boarding-medical purposes only**

Community Development Department
April 9, 2014

Use Permit No. 14 - 00003

Public Policy

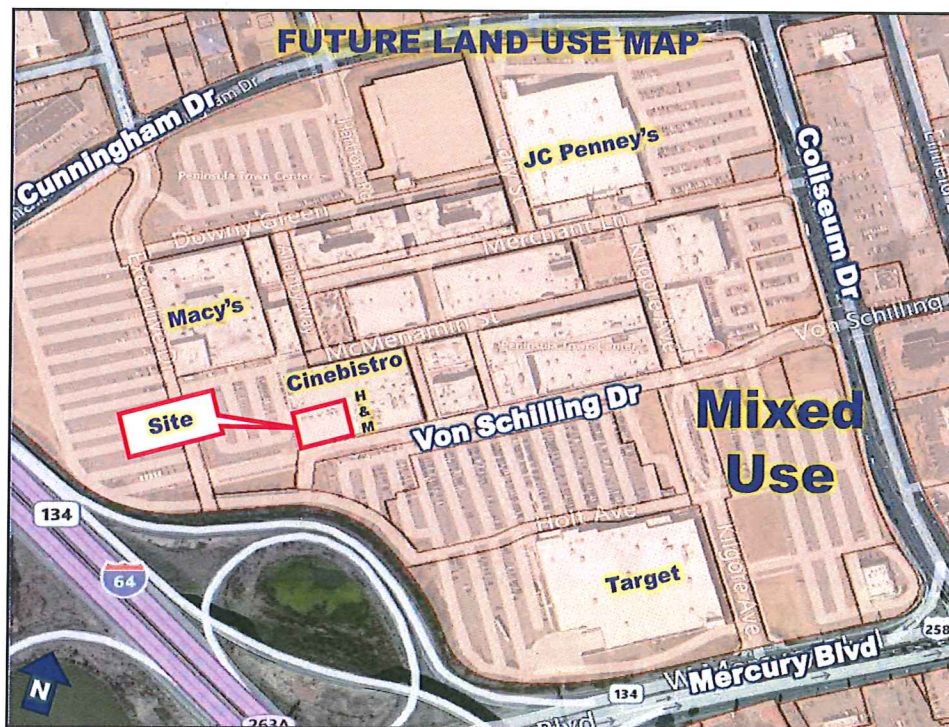


(2006, as amended)



(2004)

- ❖ Mixed use development
- ❖ Expand variety of retail and office services
- ❖ Support new businesses
- ❖ Develop vacant commercial properties
- ❖ Promote Hampton as retail destination



Recommendation

**Recommend Approval of
Use Permit Application
No. 14 – 00003
with 5 conditions**

Community Development Department
April 9, 2014

Use Permit No. 14 - 00003

Use Permit Application # 14-00004 by Sovonia Golden



Hampton
VIRGINIA

3311 Kecoughtan Road
Hampton, VA 23661

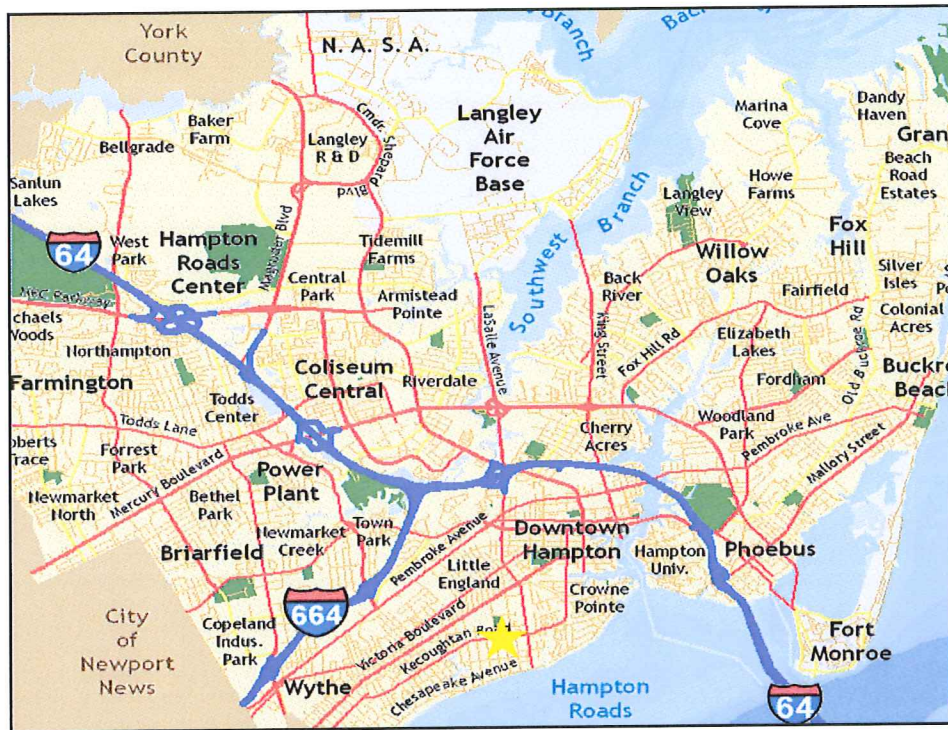
City Council
April 9, 2014

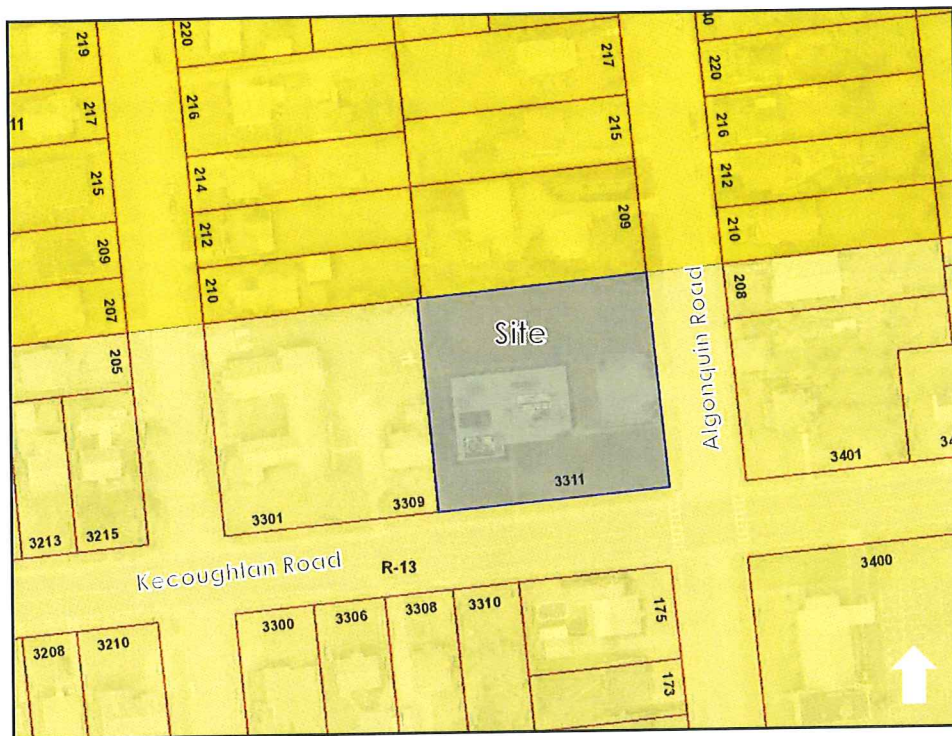
Application

- Up to 49 children
- Ages 0 - 12 years
- 6.00 am - midnight

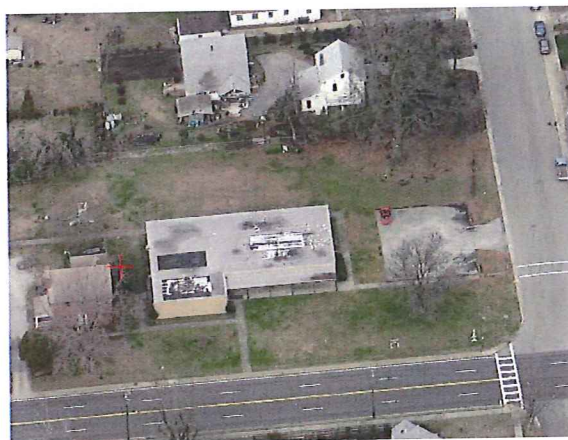
Community Development Department
April 9, 2014

Use Permit No. 14 - 00004





Background



Proposed opening April 2014

Community Development Department
April 9, 2014

Use Permit No. 14 - 00004

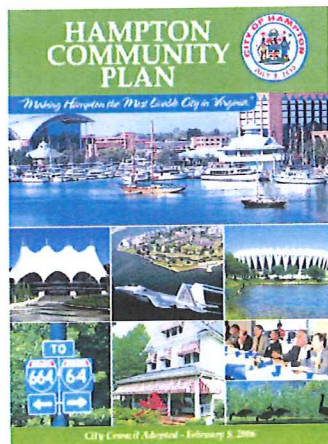
Conditions

- Hours of operation
- Capacity
- Traffic Circulation
- Revocation

Community Development Department
April 9, 2014

Use Permit No. 14 - 00004

Public Policy



(2006, as amended)

- Promotes nurturing youth environment
- Promotes community facilities & services
- Proposed use compatible with surrounding neighborhoods

Community Development Department
April 9, 2014

Use Permit No. 14 - 00004

Recommendation

Recommend Approval of
Use Permit Application
No. 14 – 00004
with 10 conditions

Community Development Department
April 9, 2014

Use Permit No. 14 - 00004

Wednesday, December 08, 2010

Councilman Donnie R. Tuck

I respectfully request that Hampton City Council amend city ordinance that pertains to Virginia State Code Section 13.1-2, 13.1-7(e), 13.1-15 (1), (2) and 13-1-7(c) and are enforced by the city Code and Compliances Department, to include that no short-term solutions are allowed by developers when long-term solutions are necessary. I believe that any and all new construction and development next to pre-existing homes should require notification by the prospect developer to the pre-existing property owner of his plan for permanent Erosion and Sediment Control to protect both properties. These amendments should provide increased protect to the existng property owner from repairs due to E&S damage and protect the city and taxpayers from possible litigation in the future. As per section 13-1-7(c), any amendment to the approved plans must be documented and maintained as all other permits and documents for the development and made part of the FOIA to the public for public scrutiny and adherence with any deviation by the developer leading to financial penalty and possible lost of professional license from city council. The following is the example of what shouldn't be allowed, "Install E&S controls per attached agreement in lieu of plan for new SFD/Swale to be installed along side property lines to adequately carry all runoff from this development in dlch in R/W of Chamberlin Ave". This statement allowed the builder to violate Virginia State E&S controls but still be within what Code and Compliance stated as City directives and allowed the builders lawyers to have the judge side in the builder's favor, the plan should have shown what E&S controls will be approved, when they were in place and if they met the Virginia E&S controls regulations for permanent controls prior to the placement of any foundation from the development. This took place at 211 W. Chamberlin Ave in Oct 2007 to July 2009 until the approved swale was installed. Thank you for your attention into this matter.

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